

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF PUERTO RICO

Evelyn Ramírez Lluveras et al

Plaintiffs

v.

Javier Pagán Cruz et al

Defendants

Civ. Number 08-1486 FAB

JURY TRIAL DEMANDED

PROPOSED VOIR DIRE
SUBMITTED BY PLAINTIFFS

Plaintiff's Proposed Voir Dire

1. What is your date of birth?
2. Where were you born?
3. Where were you raised?
4. In what municipality do you currently live?
5. In what barrio, sector, or urbanization do you live?
6. Where else have you lived in the last 10 years?
7. Have you ever lived outside of Puerto Rico? If so, state where and when.
8. With whom do you live?
9. Are you married at this time?
10. Have you been married in the past?
11. Do you have any children? If so, what are their ages and educational levels?
12. Provide the name and location of any educational institutions your children attend or have attended.
13. Where did you go to elementary and secondary school? Did you attend private or public school?
14. What is the highest level of education you obtained?
15. Provide the name and location of all institutions of higher education your attend or have attended (eg: university, junior college, post-secondary vocational training institution)
16. If you have attended an institution of higher education, what were your major fields of study?
17. What is the highest level of education obtained by your parents?

18. What is your current employment? What position do you hold? What are your duties and responsibilities in that position?

19. Provide the same information for any other jobs you have held in the last 10 years.

20. If you are married or have been married in the past, what job does/did your wife or husband have/has?

21. Provide the same information for any other jobs your spouse has held in the last 10 years.

22. Provide the same information for any other jobs your adult children have held in the last 10 years.

23. Have you or any member of your close family (eg. grandparents, parents, brothers, sisters, children), or a close friend, ever been the victim of a crime?

24. If so, state the circumstances.

25. Have you or any member of your close family (eg. grandparents, parents, brothers, sisters, children), or a close friend, ever been convicted of a crime?

26. If so, state the circumstances.

27. Have you or any member of your close family (eg. grandparents, parents, brothers, sisters, children), or a close friend, ever owned a firearm?

28. If so, identify the firearm or firearms and state the purpose for which it was used or maintained.

29. Do you know anyone who has ever been shot by a firearm or has shot anyone else with a firearm? If so, state the circumstances.

30. Have you ever fired a weapon? If so, identify the type of weapon you have fired.

31. Have you or any member of your close family (eg. grandparents, parents, brothers, sisters,

children), or any close friend, worked in the following fields?

A. Law enforcement within the Commonwealth of Puerto Rico (eg: Commonwealth Police, Corrections Officers; Municipal Police);

B. Law enforcement within the Federal Government (eg: Federal Bureau of Investigations; Drug Enforcement Administration; Immigration & Naturalization Service);

C. Law enforcement within a State or Municipal Government outside of Puerto Rico (eg: New York City Police; Florida Highway Patrol);

D. Military Law Enforcement

E. Legal practice (eg: judges; prosecutors; attorneys; paralegals; secretaries in law offices; messengers; process servers; court reporters; interpreters);

F. Forensics (eg: ballistics; pathologists; crime scene analysis)

G. Health and related fields (eg: psychologists, physicians, social workers).

32. If your answer to any of these questions about these kinds of jobs is yes, please provide specifics, including your relationship to the person who worked in the particular field, the job at which he/she worked, and the approximate dates of such work.

33. Have you or any member of your close family (eg. grandparents, parents, brothers, sisters, children), or a close friend, studied law? If so, provide the details (relationship to the person, institution where studied, etc.)

34. Have you or any member of your close family (eg. grandparents, parents, brothers, sisters, children), or a close friend, lived in Humacao? If so, provide the details (relationship to the person, where in Humacao and when, etc.)

35. Some of the witnesses in this case, including the defendants, are police officers. If one

of these officers were to say that a certain thing happened and another witness who is not a police officer states that it did not happen, would you be inclined to believe the police officer because he or she is a police officer?

36. Would you regard the testimony of a police officer inherently more credible than that of a lay witness. If so, why would you do so?

37. Would you have any difficulty deciding, if appropriate, that police officers have committed intentional or negligent or criminal actions? Explain your answer.

38. Do you know any persons who works or has worked at the Commonwealth of Puerto Rico Justice Department or any of its dependencies (eg: Special Investigations Bureau (NIE); prosecutors)? If so, please identify the place where such person works or has worked, the job he/she has or had, and the nature of your relationship with him/her.

39. Who is the person or relative closest to you who has died? When did that happen? Under what circumstances? What was your relationship to that person?

40. Have you or any member of your close family (eg. grandparents, parents, brothers, sisters, children), or any close friend ever suffered from depression?

41. Are you currently taking any medication on a regular basis? If so, identify the medication and provide the condition for which you are taking the medication.

42. Do you, your spouse or any of your children belong to any voluntary organizations? If so, identify the groups to which you or your family members belong. How frequently do you attend meetings or functions?

43. Are you, your spouse or any of your children a member of any social clubs? If so, specify which ones. How frequent is your attendance at such clubs or their activities?

44. Do you read any daily or weekly newspapers? If so, specify which ones.

45. If you read a newspaper, what section or sections of the newspaper are you most interested in?

46. Do you get any news from on-line sources. If so, please provide the details of the on-line source.

47. Do you read any magazines regularly? If so, which ones?

48. Do you regularly watch any particular television channel or television programs? If so, which one(s)?

49. Does your home receive cable, direct tv, or satellite television? If so, are you a regular viewer? What programs do you regularly watch on cable, direct tv or satellite?

50. Do you regularly listen to any radio channel? If so, which one(s) and which programs?

51. Have you or anyone in your family or any close friend ever been a defendant in a lawsuit? If so, provide specifics as to who, nature of lawsuit, claims made, date, resolution, etc.

52. Have you or anyone in your family or any close friend ever been a witness in a lawsuit? If so, provide the specifics as to who, the nature of the lawsuit, the subject matter of the testimony, etc.

53. Have you previously served as a juror? If so, identify the court, and whether the case on which you served were civil or criminal.

54. Do you know the difference between criminal and civil cases? If so, state what you know.

55. Do you know that victims of police violence or their family members have the right to bring suits on their own behalf in civil cases.

56. Do you know that the only remedy allowed in civil cases such as the one which will be tried in this case is an award of money?

57. If you have previously served as a juror on criminal cases, what kind of cases were they? What verdict or verdicts were reached?

58. If you have served on civil cases, what kind of cases were they? What verdict or verdicts were reached?

59. Do you know any persons who have worked for any of the attorneys who have represented different parties in this case? If so, state the circumstances (eg: relationship to you, job the person had, dates)

60. Independently of whether you know any of the attorneys for the police officers or those who represent the plaintiffs, have you heard of any of them? If so, please state what you know about them and any opinion you may have formed on the basis of what you have heard.

WHEREFORE, the plaintiffs respectfully request that this court ask the questions on voir dire suggested by the plaintiffs.

This is to certify that this document is being submitted through the ECF filing system, which will automatically notify all counsel of record.

Respectfully submitted in San Juan Puerto Rico, this 20th day of January, 2012

Berkan/Mendez
Calle O'Neill G-11, San Juan, Puerto Rico 00918-2301
Tel.: (787) 764-0814; Fax.: (787) 250-0986
bermen@prtc.net

By: /s/ Judith Berkan
Judith Berkan, USDC 200803
berkanj@microjuris.com